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7 IN THE UNITED STATES DISTRICT COURT
8
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11 Plaintiff,) No. CR 07-00726 CW
12) STIPULATION AND [PROPOSED]
13) ORDER CONTINUING STATUS
14) DATE AND EXCLUSION OF TIME
15 LAURO CORRAL,)
16 Defendant.)
17

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in
19 this case, currently scheduled for Wednesday, January 30, 2008, before Honorable Judge Claudia
20 Wilken, may be continued to Wednesday, March 5, 2008, at 2:00 p.m. for change of plea. The
21 reason for the continuance is that defense counsel is still waiting for documents, including
22 transcripts, relating to Mr. Corral's prior convictions in order to determine whether he qualifies as a
23 career offender. Some of the documents still have not been received and are needed to resolve the
24 case. In addition, defense counsel will be unavailable from February 7-8 and February 14-24. The
25 parties therefore stipulate that the time from January 30, 2008, to March 5, 2008, should be excluded
26 in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv)

for adequate preparation of counsel and continuity of counsel.

/S/

DATED: 1/28/08

JOYCE LEAVITT
Assistant Federal Public Defender

DATED: 1/28/08

GARTH HIRE
Assistant United States Attorney

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date in this case, currently scheduled for Wednesday, January 30, 2008, at 2:00 p.m. shall be continued to Wednesday, March 5, 2008 at 2:00 p.m.

IT IS FURTHER ORDERED that the time from January 30, 2008, to March 5, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel and continuity of counsel. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny the defendant's counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED:

HONORABLE CLAUDIA WILKEN
United States District Judge